

Dear Commissioners:

Don't prevent states from fixing my cell phone problems. I am writing to oppose CG Docket No. 04-208 and WT Docket No. 05-194, which will unjustly take away the authority of states to tackle problems with cell phone service, including abusive cancellation penalties. Worse, the proposal will put in place a weak set of cell phone company-endorsed rules that offer no improvements in service or enforcement.

It's time to adopt policies that force cell phone companies to improve the level of service they provide to consumers. The cell phone companies need to be regulated and have "truth in selling." Several months ago I went in to get a new phone--I felt as though I was dealing with a con artist. The salesperson wanted to charge me an additional \$18 for "upgrading my calling plan" which of course was not an upgrade. This was on top of about \$50 for a car charger and a carrying case plus \$100 for the phone. In addition, they tried to sell me "voice dialing" for \$10 per month. I said I thought this phone came with that feature--they said it does--so I said why should I pay money for a feature I've already paid for. They have also reduced by two hours the number of night minutes. Lets make them engage in honest business.

Although CG Docket No. 04-208 purports to address consumer frustration with confusing cell phone bills, hidden fees and misleading advertising, the proposal does little for consumers. In the name of helping us, the agency is proposing to block states from passing their own pro-consumer laws. As bad, WT Docket No. 05-194 would bar state courts from enforcing state law when it comes to unfair and abusive cell phone contracts. That's going too far.

States are responding to consumer complaints. Don't stop them! And don't give in to adopting weak, industry-drafted rules in their place. The FCC should stand up to the cell phone industry, and respect states rights and strong consumer protections.

Sincerely,  
Lyle Warner